

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7599 of 2015

1. Sagar Devnath, S/o. Late Primal Devnath, Aged About 23 Years, R/o. Singarbhat (Bangali Camp) Thana And Distt. Kanker, Chhattisgarh.
2. Bhupendra Usendi @ Billu, S/o. Late Akhilesh Usendi, Aged About 21 Years, R/o. Bardebhata, Thana And Distt. Kanker, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh, Through Police Station Durgukondal, Distt. U.B. Kanker, Chhattisgarh

---- Respondent

For Applicants : Mr. Parag Kotecha, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.01.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who has been arrested in connection with Crime No.47/2014, registered at Police Station– Durgukondal, District U.B.Kanker (C.G.) for the offence punishable under Section 363, 366 read with 34 of Indian Penal Code.
2. This is a case of bail jump. The applicants were earlier granted bail for the offence punishable under Section 363, 366 read with Section 34 of IPC, however, they jumped the bail on 27.08.2015 and subsequently, they were arrested on 02.12.2015.
3. Learned counsel for the applicants submits that the applicants were ill on that date and therefore they could not attend the Court and they are in jail since 02.12.2015. He further submits that

considering the fact that the applicants were earlier attended each and every day, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into the facts and circumstances of the case and considering the fact that the applicants were enlarged on bail on the earlier occasion and subsequently after jumping the bail on 27.08.2015 they were arrested on 02.12.2015 and since then they are in jail, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge